

**Wittels
McInturff
Palikovic**

April 14, 2023

Via ECF

The Honorable Allyne R. Ross
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Mirkin, et al. v. XOOM Energy, LLC, et al.*, No. 18 Civ. 2949 (ARR) (RER) (E.D.N.Y.)

Dear Judge Ross:

On behalf of Plaintiffs Susanna and Boris Mirkin and the proposed Class (“Plaintiffs”), we write to notify you that the following items were served earlier today via email on defense counsel of record in the above-captioned action in unredacted form:

1. Plaintiffs’ Memorandum of Law in Opposition to Defendants’ Motion for Summary Judgment, dated April 14, 2023;
2. The Declaration of Steven L. Wittels in Opposition to Defendants’ Motion for Summary Judgment, with annexed Exhibits, dated April 14, 2023; and
3. Plaintiffs’ Response to Defendants’ Statement of Material Facts in Support of Their Motion for Summary Judgment and Statement of Additional Material Facts Concerning Plaintiffs’ Opposition to Defendants’ Motion for Summary Judgment, dated April 14, 2023.

As stated in Defendants’ letter regarding their motion, ECF No. 129, Defendants will file all motion papers when the motion is fully briefed and provide the Court with a courtesy copy.

Thank you for the Court’s attention to this matter.

/s/ Steven L. Wittels
Steven L. Wittels

cc: All counsel of record (via ECF)